

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

In re)
) Chapter 11
FREEDOM INDUSTRIES, INC.)
) Case No. 2:14-bk-20017
Debtor.)
)

**MOTION FOR AN EXPEDITED HEARING ON THE DEBTOR'S EXPEDITED
MOTION FOR APPROVAL UNDER 11 U.S.C. §§ 105 AND 363 TO ENTER INTO
AGREEMENT WITH AND COMPENSATE CORE ENVIRONMENTAL SERVICES,
INC. AS DEBTOR'S LICENSED REMEDIATION SPECIALIST**

The debtor and debtor-in-possession ("Freedom" or the "Debtor") in the above-captioned case has simultaneously filed an *Expedited Motion For Approval Under 11 U.S.C. §§ 105 and 363 To Enter Into Agreement With and Compensate Core Environmental Services, Inc. as Debtor's Licensed Remediation Specialist* (the "Motion").¹ The Debtor respectfully requests that the Court consider the Motion on an expedited basis. In support of this request, the Debtor states as follows:

1. Pursuant to Local Rule 9013-1(f), the Debtor requests expedited consideration of the Motion by the Court.
2. Approval of the Motion on an expedited basis is essential because the Cheamstream Settlement requires approval by WVDEP of the terms and conditions upon which the Debtor's LRS will perform remediation and related services on behalf of the Debtor. WVDEP did not find terms and conditions of the expanded role of ARCADIS to be acceptable. Accordingly, until such time as the Debtor obtains authority from this Court to proceed with a replacement LRS, the Debtor has no ability to continue active remediation of the Etowah River Terminal.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

3. In the event that the Debtor were not granted expedited consideration of the Motion, the Debtor will not be able to progress further remediation efforts. With the involvement of CORE as replacement LRS, the Debtor is prepared to promptly cause substantial additional soil to be removed from the Etowah River Terminal and progress other matters under the VRP.

4. As such, the Debtor requests an expedited hearing on the Motion.

WHEREFORE, the Debtor respectfully requests that the Court enter the accompanying Order approving the Motion on an expedited basis, and granting such other or further relief as the Court may deem just and proper.

Dated: July 20, 2015

Respectfully submitted,

BARTH & THOMPSON

Stephen L. Thompson (WV 3751)
J. Nicholas Barth (WV 255)
Barth & Thompson
P.O. Box 129
Charleston, West Virginia 25321
Telephone: (304) 342-7111
Facsimile: (304) 342-6215

and

McGUIREWOODS LLP

/s/ Mark E. Freedlander
Mark E. Freedlander (PA 70593)
625 Liberty Avenue, 23rd Floor
Pittsburgh, PA 15222
Telephone: (412) 667-6000
Facsimile: (412) 667-6050

Attorneys for the Debtor and
Debtor-in-Possession